

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SAY ET AL.	Examiner:	UNKNOWN
Serial No.:	09/070,677	Group Art Unit:	3736
Filed:	APRIL 30, 1998	Docket:	12008.1SUS01
Title:	ANALYTE MONITORING DEVICE AND METHOD OF USE		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on March 12, 1999.

By: Bruce E. Black
Bruce E. Black

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- Transmittal Sheet in duplicate containing Certificate of Mailing
- Other: Supplemental Information Disclosure Statement, Form 1449, copy of cited references (3)
- Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT, GOULD, SMITH, EDELL,
WELTER & SCHMIDT
3100 Norwest Center, Minneapolis, MN 55402
(612) 332-5300

By: Bruce E. Black
Name: Bruce E. Black
Reg. No.: 41,622
BEB:PSTlls

S/N 09/070,677

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SAY ET AL.	Examiner:	UNKNOWN	#17/I.D.S.
Serial No.:	09/070,677	Group Art Unit:	3737	
Filed:	APRIL 30, 1998	Docket No.:	12008.15US01	
Title:	<u>ANALYTE MONITORING DEVICE AND METHODS OF USE</u>			

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on July 23, 1998.

By: Bruce E. Black
Bruce E. Black

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 has been provided. These documents are located in two boxes provided to Examiner Noguerola in copending application Serial No. 08/795,767. Additional copies will be provided on request.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not

represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT, GOULD, SMITH, EDELL,
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3100 Norwest Center
90 South Seventh Street
Minneapolis, MN 55402-4131
(612) 332-5300

Date: July 23, 1998

Bruce E. Black
Bruce E. Black
Reg. No. P-41,622
BEB:PSTbkh

FROM MERCHANT & GOULD

(THU) 6. 15' 00 15:45 ST. 15:38/NO. 4260369774 P 23

Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:

In re Application of: SAY ET AL.

For: ANALYTE MONITORING DEVICE AND METHOD OF USE

Docket No.: 12008.15US01

Filed: APRIL 30, 1998

Serial No.: 09/070,677

Due Date:

Date Mailed: March 17, 1999

Transmittal Sheet in duplicate containing Certificate of Mailing

Other: Supplemental Information Disclosure Statement, Form 1449, copy of cited references (3)

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Patent

BEB:PSTLb

Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:

In re Application of: SAY ET AL.

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TheraSense

Serial No.: 09/070,677

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